

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT JOHN ALTAVILLA,

Plaintiff,

v.

LARKSVILLE BOROUGH POLICE,  
*et al.*,

Defendants.

NO. 3:17-CV-01588


(JUDGE CAPUTO)

(MAGISTRATE JUDGE MEHALCHICK)

**ORDER**

NOW, this 13<sup>th</sup> day of May, 2019, upon review of the Report and Recommendation (Doc. 41) of Magistrate Judge Karoline Mehalchick for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 41) is **ADOPTED**.
- (2) The Motion to Dismiss (Doc. 28) is **GRANTED**.
- (3) Plaintiff has **twenty-one (21) days** to file an amended complaint. Failure to timely file an amended complaint will result in the dismissal of this action **with prejudice**.
- (4) The matter is **RECOMMITTED** to Magistrate Judge Mehalchick for further proceedings.

  
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A. Richard Caputo  
United States District Judge